

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *Art* D.C.

2005 OCT 14 PM 2:36

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. ) Cr. No. 04-20314-D  
 )  
 NANCY WILLIS a/k/a )  
 NANCY HOUSE, )  
 and VICKIE HERRON, )  
 )  
 Defendants. )

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W.D. OF TENN. MEMPHISTHOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W.D. OF TENN. MEMPHIS

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MOTION FOR SEVERANCE OF COUNTS 13 AND 14

The United States moves the Court for the severance of counts 13 and 14 of the second superseding indictment. The victim eyewitness whose testimony would prove count 13 and 14 is seriously ill and cannot appear for the October 17, 2005 trial. The United States requests that trial proceed on the remaining counts of the indictment and that counts 13 and 14 be disposed of at a later date. (The United States will likely dismiss counts 13 and 14 at a future date).

The United States also requests that counts 13 and 14 be redacted from the copy of the indictment that will be presented to the trial jury in this case.

MOTION GRANTED


DATE: 10-17-2005

*Bernard Louis Donald*  
BERNARD LOUIS DONALD  
U.S. DISTRICT JUDGE

Respectfully submitted,

LAWRENCE J. LAURENZI  
Acting United States Attorney

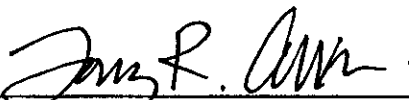
By:

  
\_\_\_\_\_  
TONY R. ARVIN  
Assistant United States Attorney  
167 N. Main, Room 800  
Memphis, TN 38103  
(#11392 Tennessee)

**CERTIFICATE OF SERVICE**

I, Tony R. Arvin, Assistant United States Attorney for the Western District of Tennessee, hereby certify that a copy of the foregoing Motion has been mailed, first class postage prepaid, to Mary Cay Jermann, Asst. Federal Defender, 200 Jefferson Avenue, Suite 200, Memphis, TN 38103 and Stephen Sauer, Attorney at Law, 8 South Third Street, 4<sup>th</sup> Floor, Memphis, TN 38103.

This 14<sup>th</sup> day of October, 2005.

  
\_\_\_\_\_  
TONY R. ARVIN  
Assistant United States Attorney  
167 N. Main, Room 800  
Memphis, TN 38103



## Notice of Distribution

This notice confirms a copy of the document docketed as number 101 in case 2:04-CR-20314 was distributed by fax, mail, or direct printing on October 18, 2005 to the parties listed.

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Mary Catherine Jermann  
FEDERAL PUBLIC DEFENDER  
200 Jefferson Ave.  
Ste. 200  
Memphis, TN 38103

Tony R. Arvin  
U.S. ATTORNEY'S OFFICE  
167 N. Main St.  
Ste. 800  
Memphis, TN 38103

Stephen A. Sauer  
LAW OFFICE OF STEPHEN A. SAUER  
8 S. Third St.  
4th Floor  
Memphis, TN 38103

Honorable Bernice Donald  
US DISTRICT COURT